



ZONING COMMITTEE
REGULAR COMMITTEE MEETING
~Minutes~

Atlanta City Hall
55 Trinity Avenue
Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
The Honorable Carla Smith

Theodis Pace
(404) 330-6314
tpace@atlantaga.gov

Wednesday, February 15, 2017

9:30 AM

Committee Room 1

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, February 15, 2017, at 9:38 AM.** in **Committee Room 1.**

B. INTRODUCTION OF MEMBERS

Attendee Name	Position/District/Post	Status	Arrived
Carla Smith	Chair, District 1	Present	9:29 AM
Kwanza Hall	District 2	Present	9:38 AM
Mary Norwood	Post 2 At-Large	Present	9:30 AM
Alex Wan	District 6	Present	9:28 AM
Howard Shook	District 7	Present	9:35 AM
Keisha Lance Bottoms	District 11	Present	9:45 AM
Joyce Sheperd	Vice-Chair, District 12	Present	9:34 AM
Wasonna Hammonds-Griffin	Legislative Assistant	Present	9:15 AM
Theodis Pace	Research and Policy Analyst	Present	9:10 AM

Others in Attendance:

DPCD: Charletta Wilson Jacks, Director, Doug Young and Mary Darby; **Law:** Jeff Haymore, AnnaMarie Hazzard and Susan Garrett; **And:** APD Officer, Council Staff, Councilmember Staff, the media and members of the public.

C. ADOPTION OF AGENDA

ADOPTED AS AMENDED

D. APPROVAL OF MINUTES

APPROVED

E. 2017 ZONING COMMITTEE GOALS AND OBJECTIVES

ADOPTED

F. ORDINANCE(S) FOR FIRST READING

17-O-1063 (1) - TR-17-01 AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE 80-O-2990/U-80-24 ADOPTED BY THE CITY COUNCIL ON JUNE 2, 1980 AND APPROVED BY THE MAYOR ON JUNE 6, 1980 FOR PROPERTY LOCATED AT 330 LYNHURST DRIVE, S.W. TO APPROVE A TRANSFER OF A SPECIAL USE PERMIT FOR A CHILD CARE CENTER; AND FOR OTHER PURPOSES. NPU I COUNCIL DISTRICT 10

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

RESULT: REFERRED TO COMMITTEE [UNANIMOUS]
MOVER: Alex Wan, District 6
SECONDER: Joyce Sheperd, Vice-Chair, District 12
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 17-O-1064 (2) - MRPA-16-05 AN ORDINANCE BY ZONING COMMITTEE TO GRANT A CERTIFICATE UNDER THE PROVISIONS OF THE METROPOLITAN RIVER PROTECTION ACT FOR A POOL, POOL HOUSE, AND PATIO, LOCATED AT 2746 RIDGEWOOD ROAD, N.W., 1.097 ACRES IN LAND LOT 232 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: GAINES TAYLOR HOWERTON; APPLICANT: JAMES SCOTT OATES; NPU-A COUNCIL DISTRICT 8

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

RESULT: REFERRED TO COMMITTEE [UNANIMOUS]
MOVER: Alex Wan, District 6
SECONDER: Joyce Sheperd, Vice-Chair, District 12
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 17-O-1065 (3) - AN ORDINANCE BY ZONING COMMITTEE CORRECTING ORDINANCE 16-O-1308 (Z-16-20), WHICH WAS ADOPTED BY THE CITY COUNCIL ON NOVEMBER 21, 2016 AND APPROVED AS PER THE CITY CHARTER 2-403 ON NOVEMBER 30, 2016 WITHOUT SIGNATURE BY OPERATION OF LAW, TO REZONE THE PROPERTY LOCATED AT 178 AND 208 FIRST AVENUE, 0, 2339, AND 2349 COTTAGE GROVE AVENUE AND 203 SECOND AVENUE, S.E., FOR THE PURPOSE OF CORRECTING THE ZONING DESIGNATION TO RG-2-C (RESIDENTIAL GENERAL SECTOR 2 - CONDITIONAL) DISTRICT AND RG-3-C (RESIDENTIAL GENERAL SECTOR 3 - CONDITIONAL) DISTRICT; AND FOR OTHER PURPOSES.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

RESULT: REFERRED TO COMMITTEE [UNANIMOUS]
MOVER: Alex Wan, District 6
SECONDER: Joyce Sheperd, Vice-Chair, District 12
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 17-O-1068 (4) - Z-17-001 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-1(COMMUNITY BUSINESS) DISTRICT FOR PROPERTY LOCATED AT 2431 FAIRBURN ROAD, S.W., FRONTING APPROXIMATELY 100 FEET ON THE WEST SIDE OF FAIRBURN ROAD AND THE SOUTHWEST INTERSECTION OF FAIRBURN ROAD AND CAMPBELLTON ROAD. AREA: 0.47 ACRES, DEPTH: VARIES, LAND LOT 5, 14F DISTRICT FULTON COUNTY, GEORGIA. OWNER: TARIQ DAVIS; APPLICANT: TARIQ DAVIS NPU P COUNCIL DISTRICT 11

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

RESULT: REFERRED TO COMMITTEE [UNANIMOUS]
MOVER: Alex Wan, District 6
SECONDER: Joyce Sheperd, Vice-Chair, District 12
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

G. ORDINANCE(S) FOR SECOND READING

17-O-1047 (5) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE TO WAIVE SEC. 15-07.006 OF THE SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA FOR THE PURPOSE OF FACILITATING AN ACKNOWLEDGMENT OF 2866 ELLIOT CIRCLE AS TWO SEPARATE LOTS OF RECORD; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE/SUBSTITUTE [UNANIMOUS]
MOVER: Howard Shook, District 7
SECONDER: Alex Wan, District 6
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

Bring Forth Substitute

RESULT: APPROVED [UNANIMOUS]
MOVER: Alex Wan, District 6
SECONDER: Carla Smith, Chair, District 1
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

17-O-1050 (6) - AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AUTHORIZING THE INSTALLATION OF PUBLIC ART (ENTITLED "THE FIRE WITHIN") AT 513 EDGEWOOD AVENUE, ATLANTA, GEORGIA 30312, AS PURSUANT TO CODE SECTION 16-28.025 OF THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE [UNANIMOUS]
MOVER: Kwanza Hall, District 2
SECONDER: Alex Wan, District 6
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

H. PAPER(S) HELD IN COMMITTEE

14-O-1348 (7) - U-14-13 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1)(G) FOR PROPERTY LOCATED AT 929 CASCADE AVENUE, S.W., FRONTING APPROXIMATELY 95 FEET ON THE NORTH SIDE OF CASCADE AVENUE APPROXIMATELY 60 FEET EAST OF THE INTERSECTION OF ALTADENA PLACE AND CASCADE AVENUE. DEPTH VARIES. AREA: APPROXIMATELY 0.45 ACRE. LAND LOT 151, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: FLORENCE M.

DEMOSTHENES APPLICANT: MAURICE SESSOMS, NPU S, COUNCIL DISTRICT 10

Application File Date	5-22-14
Zoning Number	U-14-13
NPU / CD	S/10
Staff Recommendation	Denial
NPU Recommendation	Approval
ZRB Recommendation	Denial

(Held 8/27/14)

- 14-O-1366 (8) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND SEC. 15-06.001 OF THE SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA SO AS TO AMEND THE DEFINITION OF THE TERM "HISTORIC NEIGHBORHOOD" AS A NEIGHBORHOOD ACTUALLY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES; TO AMEND SEC. 15-08.005(D)(6) OF THE SUBDIVISION ORDINANCE SO AS TO REGULATE THE SUBDIVISION OF PROPOSED LOTS IN HISTORIC NEIGHBORHOODS; TO ADD SEC. 15-08.005(D)(7) TO REGULATE THE SUBDIVISION OF PROPOSED LOTS WHERE NEW STREET(S) ARE PROPOSED IN NEIGHBORHOODS IDENTIFIED BY ORDINANCE AS POTENTIALLY ELIGIBLE FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES; AND FOR OTHER PURPOSES.

(Referred back by Council 9/15/14) (Substituted and held 9/24/14)

- 16-O-1155 (9) - Z-16-13 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT FOR PROPERTY LOCATED AT 2742 AND 2748 ALPINE ROAD, N.E., FRONTING APPROXIMATELY 99 FEET ON THE WEST SIDE OF ALPINE ROAD AND BEGINNING APPROXIMATELY 95.6 FEET FROM THE WEST INTERSECTION OF PIEDMONT ROAD. DEPTH: VARIES AREA: APPROXIMATELY .647 ACRES. LAND LOT 60, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: RICHARD AND STEWART AIKEN APPLICANT: GORDON GOODMAN NPU B COUNCIL DISTRICT 7

Application File Date	3-1-2016
Zoning Number	Z-16-13

NPU / CD	B/7
Staff Recommendation	Approval Conditional
NPU Recommendation	Deferral
ZRB Recommendation	Approval Conditional

(Referred back by Council 9/19/16) (Held 9/28/16)

- 16-O-1226 (10) - AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS AS SUBSTITUTED BY ZONING COMMITTEE TO ZONE THE SANDTOWN NEIGHBORHOOD IDENTIFIED ON EXHIBIT "A" TO THE R-2 (SINGLE FAMILY RESIDENTIAL), R-3 (SINGLE FAMILY RESIDENTIAL-CITY OF ATLANTA), R-4 (SINGLE FAMILY RESIDENTIAL), R-5 (TWO FAMILY RESIDENTIAL), PDH (PLANNED DEVELOPMENT-HOUSING), C-1 (COMMUNITY BUSINESS) AND MRC-1 (MIXED RESIDENTIAL COMMERCIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.
(Held 7/13/16)

- 16-O-1580 (11) - Z-16-61 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE I-2 (HEAVY INDUSTRIAL) TO THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL) DISTRICT FOR PROPERTY LOCATED AT 926 BRADY AVENUE, N.W. PROPERTY FRONTS APPROXIMATELY 90 FEET ON THE WEST SIDE OF BRADY AVENUE BEGINNING APPROXIMATELY 60 FEET FROM THE NORTHWEST CORNER OF WEST MARIETTA STREET. DEPTH: VARIES. AREA: APPROXIMATELY .438 ACRES. LAND LOT 150. 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNERS: BRADY, AVENUE, LLC APPLICANT: 926 BRADY HOTEL, LLC C/O MORRIS, MANNING AND MARTIN, LLP NPU E COUNCIL DISTRICT 3

Application File Date	
Zoning Number	Z-16-61
NPU / CD	E/3
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional

RESULT: FILED BY COMMITTEE [UNANIMOUS] Next:
2/20/2017 1:00 PM
MOVER: Carla Smith, Chair, District 1
SECONDER: Joyce Sheperd, Vice-Chair, District 12
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 16-O-1582 (12) - U-16-23 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A HOTEL PURSUANT TO SECTION 16.34.007 (1) (J) FOR PROPERTY LOCATED AT 926 BRADY AVENUE, N.W., PROPERTY FRONTS APPROXIMATELY 90 FEET ON THE WEST SIDE OF BRADY AVENUE BEGINNING APPROXIMATELY 60 FEET FROM THE NORTHWEST CORNER OF WEST MARIETTA STREET. DEPTH: VARIES. AREA: APPROXIMATELY .438 ACRES. LAND LOT 150. 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNERS: BRADY, AVENUE, LLC APPLICANT: 926 BRADY HOTEL, LLC C/O MORRIS, MANNING AND MARTIN, LLP NPU E COUNCIL DISTRICT 3

Application File Date	
Zoning Number	U-16-23
NPU / CD	E/3
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional

RESULT: FILED BY COMMITTEE [UNANIMOUS] Next:
2/20/2017 1:00 PM
MOVER: Carla Smith, Chair, District 1
SECONDER: Joyce Sheperd, Vice-Chair, District 12
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 16-O-1710 (13) - AN ORDINANCE BY COUNCILMEMBER ALEX WAN TO ZONE PROPERTY LOCATED AT 607 KIMBERLY LANE TO THE R-5 (TWO-FAMILY RESIDENTIAL) ZONING DISTRICT; AND FOR OTHER PURPOSES.
(CDP Public Hearing held on 2/14/17.)

RESULT: FAVORABLE [UNANIMOUS] Next: 2/20/2017 1:00 PM
MOVER: Alex Wan, District 6
SECONDER: Howard Shook, District 7
AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

- 16-O-1471 (14) - Z-16-53 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO

THE PD-MU (PLANNED DEVELOPMENT-MIXED USE) DISTRICT FOR PROPERTY LOCATED AT 1625 MCLENDON AVENUE N.E., FRONTING APPROXIMATELY 89 FEET ON THE SOUTH SIDE OF MCLENDON AVENUE AND FRONTING APPROXIMATELY 130 FEET ON THE WEST SIDE OF BROOKS AVENUE AND AT THE SOUTHWEST INTERSECTION OF MCLENDON AND BROOKS AVENUE. DEPTH: APPROXIMATELY 125 FEET, AREA: APPROXIMATELY 0.262 ACRES. LAND LOT 210, 15TH DISTRICT DEKALB COUNTY, GEORGIA. OWNER: 1625 MCLENDON APARTMENTS, LLC; APPLICANT: WALTER A BROWN; NPU N COUNCIL DISTRICT 2

Application File Date	
Zoning Number	Z-16-53
NPU / CD	N/2
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Denial

(CDP Public Hearing held on 2/14/17.)

RESULT: FAVORABLE/AMENDED [5 TO 0]

MOVER: Kwanza Hall, District 2

SECONDER: Carla Smith, Chair, District 1

AYES: Smith, Hall, Wan, Shook, Sheperd

ABSTAIN: Norwood, Bottoms

Amend

RESULT: APPROVED [UNANIMOUS]

MOVER: Kwanza Hall, District 2

SECONDER: Howard Shook, District 7

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

I. WALK-IN LEGISLATION

16-O-1648 (15) - ***Z-16-73- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM C-2 (COMMERCIAL SERVICE) DISTRICT TO THE MRC-3 (MIXED RESIDENTIAL COMMERCIAL), PROPERTY LOCATED AT 274 BOULEVARD, N.E., FRONTING APPROXIMATELY 327 FEET ON THE NORTH SIDE OF HIGHLAND AVENUE AND APPROXIMATELY 314 FEET ON THE WEST SIDE OF BOULEVARD. PROPERTY IS LOCATED AT THE NORTHWEST INTERSECTION OF HIGHLAND AVENUE AND BOULEVARD. DEPTH: VARIES. AREA: APPROXIMATELY 2.28 ACRES. LAND LOT 46, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: NAZAR HOLDINGS II, LLC APPLICANT: PHILIP PETERS DREY NPU M COUNCIL DISTRICT 4

Application File Date	9-27-16
Zoning Number	Z-16-73
NPU / CD	M/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

RESULT: FAVORABLE [UNANIMOUS]

MOVER: Carla Smith, Chair, District 1

SECONDER: Howard Shook, District 7

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

17-O-1011 (16) - ***U-16-31 AN ORDINANCE BY COUNCILMEMBER KWANZA HALL GRANTING A SPECIAL USE PERMIT FOR A HOTEL PURSUANT TO SECTION 16. 34.0-07 (1) (I) FOR PROPERTY LOCATED AT 274 BOULEVARD, N.E., FRONTING APPROXIMATELY 327 FEET ON THE NORTH SIDE OF HIGHLAND AVENUE AND APPROXIMATELY 314 FEET ON THE WEST SIDE OF BOULEVARD. PROPERTY IS LOCATED AT THE NORTHWEST INTERSECTION OF HIGHLAND AVENUE AND BOULEVARD. DEPTH; VARIES. AREAS: APPROXIMATELY 2.28 ACRES. LAND LOT 46, 14TH DISTRICT. FULTON COUNTY GEORGIA OWNER; NAZAR HOLDINGS II, LLC

RESULT: FAVORABLE [UNANIMOUS]

MOVER: Carla Smith, Chair, District 1

SECONDER: Howard Shook, District 7

AYES: Smith, Hall, Norwood, Wan, Shook, Bottoms, Sheperd

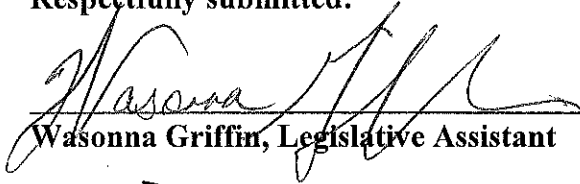
J. REMARKS FROM THE PUBLIC

NONE

K. ADJOURNMENT

There being no further business to come before the Zoning Committee the meeting was adjourned at 10:05 AM

Respectfully submitted:


Wasonna Griffin, Legislative Assistant



Theo Pace, Research & Policy Analyst



The Honorable Carla Smith, Chair